

MINUTES

MONTANA HOUSE OF REPRESENTATIVES 64th LEGISLATURE - REGULAR SESSION

COMMITTEE ON NATURAL RESOURCES

Call to Order: Chair Kerry White, on March 13, 2015 at 3:00 PM, in Room 172 Capitol

ROLL CALL

Members Present:

Rep. Kerry White, Chair (R)
Rep. Ed Lieser, Vice Chair (D)
Rep. Gerald (Jerry) Bennett (R)
Rep. Bob Brown (R)
Rep. Mary Ann Dunwell (D)
Rep. Theresa Manzella (R)
Rep. Nate McConnell (D)
Rep. Dale Mortensen (R)
Rep. Mark Noland (R)
Rep. Andrea Olsen (D)
Rep. Ray L. Shaw (R)
Rep. Scott Staffanson (R)
Rep. Kathleen Williams (D)

Members Excused: Rep. Steve Fitzpatrick, Vice Chair (R)
Rep. Zach Brown (D)
Rep. Virginia Court (D)
Rep. Kelly Flynn (R)
Rep. Keith Regier (R)

Members Absent: None

Staff Present: Joe Kolman, Legislative Branch
Sherri Row, Committee Secretary

Audio Committees: These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. The link to the audio recording of the meeting is available on the Legislative Branch website.

Committee Business Summary:

Hearing & Date Posted: SB 34, 2/24/2015; SB 221, 2/24/2015; SB 229, 2/24/2015

Executive Action: HB 496, HB 329

00:00:12 Chairman White

HEARING ON SB 34

Opening Statement by Sponsor:

00:01:38 Sen. Tom Facey (D), SD 50, opened the hearing on SB 34, Facilitate cabin and home-site sales.

Proponents' Testimony:

00:13:05 Margaret Morgan, Montana State Leaseholders Association

00:16:42 Rep. Court arrived

00:17:31 John Grimm, Department Natural Resources and Conservation (DNRC)

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses:

00:20:08 Rep. Lieser

00:20:38 John Grimm, DNRC

00:21:07 Rep. Lieser

00:21:32 John Grimm, DNRC

00:22:22 Rep. Lieser

00:22:36 John Grimm, DNRC

00:23:17 Rep. Bob Brown

00:23:44 Sen. Facey

00:24:32 Rep. Bob Brown

00:24:41 Sen. Facey

00:25:08 Chairman White

00:25:56 John Grimm, DNRC

00:26:26 Chairman White

00:27:01 John Grimm, DNRC

00:27:46 Rep. Williams

00:28:37 John Grimm, DNRC

00:29:16 Rep. Williams

00:29:45 Chairman White

00:29:52 John Grimm, DNRC

00:30:50 Rep. Williams

00:30:57 Chairman White

00:31:27 Rep. Williams

00:31:31 Sen. Facey

00:32:05 Rep. Williams

Closing by Sponsor:

00:32:22 Sen. Facey

HEARING ON SB 221

Opening Statement by Sponsor:

00:35:07 Sen. Debby Barrett (R), SD 36, opened the hearing on SB 221, Transfer of Willow Creek dam to water users association.

Proponents' Testimony:

00:36:33 Bill Buttelman, Willow Creek Water Users Association (WCWUA)
00:39:07 John Tubbs, Department of Natural Resources and Conservation (DNRC)
00:40:02 Dan Happel, self
00:40:55 Lezlie Kinne, Willow Creek Water Users Association (WCWUA)
00:43:31 Brian Ohs, Montana Trout Unlimited
00:44:18 David Schulz, Commissioner of Madison County, Montana Association of Counties (MACO)

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses:

00:45:20 Rep. Shaw
00:45:37 Sen. Barrett
00:45:55 Rep. Court
00:46:21 Lezlie Kinne, WCWUA
00:47:16 Rep. Court
00:47:29 Lezlie Kinne, WCWUA
00:47:36 Rep. Dunwell
00:48:15 John Tubbs, DNRC
00:50:00 Rep. Jerry Bennett
00:50:42 John Tubbs, DNRC
00:51:14 Rep. Williams
00:51:25 John Tubbs, DNRC
00:51:29 Rep. Williams
00:51:35 John Tubbs, DNRC
00:51:45 Rep. Court
00:52:29 David Schulz, MACO

Closing by Sponsor:

00:52:58 Sen. Barrett

00:55:11 Brief Recess
01:02:09 Reconvened

01:02:12 Chairman White

HEARING ON SB 229

Opening Statement by Sponsor:

01:02:16 Sen. Bruce Tutvedt (R), SD 3, opened the hearing on SB 229, Extend historic county road or utility right-of-way application dates.

Proponents' Testimony:

01:04:53 Shawn Thomas, Department of Natural Resources and Conservation (DNRC)
01:06:37 David Schulz, Montana Association of Counties (MACO)
01:08:14 Mark Baker, Plum Creek Timber Company
01:10:24 John Fitzpatrick, Northwestern Energy
01:12:30 Dan Happel, self

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses:

01:13:49 Rep. Lieser
01:14:27 Shawn Thomas, DNRC
01:16:21 Rep. Lieser
01:16:41 Shawn Thomas, DNRC
01:17:27 Rep. Williams
01:17:57 Shawn Thomas, DNRC
01:18:04 Rep. Williams
01:18:35 Shawn Thomas, DNRC
01:19:23 Rep. Williams
01:19:40 Shawn Thomas, DNRC
01:19:58 Rep. Bob Brown
01:20:40 Shawn Thomas, DNRC
01:21:46 Rep. Williams
01:22:14 Shawn Thomas, DNRC
01:23:01 Chairman White
01:23:32 Shawn Thomas, DNRC
01:23:51 Chairman White
01:24:35 Shawn Thomas, DNRC
01:24:49 Chairman White
01:25:24 Shawn Thomas, DNRC
01:25:42 Chairman White
01:26:21 Shawn Thomas, DNRC
01:26:33 Chairman White
01:27:25 Shawn Thomas, DNRC
01:27:43 Rep. Staffanson
01:28:06 Shawn Thomas, DNRC
01:28:23 Rep. Fitzpatrick arrived

Closing by Sponsor:

01:28:31 Sen. Tutvedt

EXECUTIVE ACTION ON HB 496

01:31:53 **Motion:** Rep. Fitzpatrick moved that **HB 496 DO PASS.**

Discussion:

01:32:15 Rep. Williams
 01:32:33 Rep. Regier arrived
 01:32:42 Chairman White
 01:32:48 Joe Kolman, Legislative Services Division (LSD)
 01:33:14 Chairman White
 01:33:19 Rep. Lieser
 01:35:48 Rep. McConnell
 01:36:40 Rep. Jerry Bennett
 01:37:32 Rep. Dunwell
 01:38:21 Rep. Noland
 01:41:47 Rep. Olsen
 01:42:50 Rep. Court
 01:44:06 Rep. Manzella
 01:47:02 Chairman White
 01:47:21 Rep. Staffanson
 01:48:51 Rep. Bob Brown

EXHIBIT(nah52a01)

01:52:30 Rep. Fitzpatrick
 01:53:54 Chairman White
 01:57:06 Rep. Williams

01:59:03 **Vote:** Motion failed 9-9 by roll call vote with Rep. Jerry Bennett, Rep. Bob Brown, Rep. Flynn, Rep. Manzella, Rep. Mortensen, Rep. Noland, Rep. Regier, Rep. Staffanson and Rep. White voting aye. Rep. Zach Brown and Rep. Flynn voted by proxy.

02:00:21 **Motion/Vote:** Rep. Fitzpatrick moved that **HB 496 BE TABLED.** Motion carried 10-8 by roll call vote with Rep. Jerry Bennett, Rep. Bob Brown, Rep. Flynn, Rep. Manzella, Rep. Mortensen, Rep. Noland, Rep. Regier and Rep. Staffanson voting no. Rep. Zach Brown and Rep. Flynn voted by proxy.

EXECUTIVE ACTION ON HB 329

02:02:48 **Motion:** Rep. Fitzpatrick moved that **HB 329 DO PASS.**

EXHIBIT(nah52a02)

02:03:24 **Motion:** Rep. Shaw moved that **HB 329 BE AMENDED.**

Discussion:

02:03:43 Joe Kolman, LSD
 02:06:22 Rep. Bob Brown
 02:06:50 Rep. Williams
 02:07:07 Rep. Shaw
 02:07:20 Rep. Williams
 02:07:33 Rep. Regier
 02:07:45 Rep. Shaw
 02:08:41 Rep. Regier
 02:09:01 Chairman White
 02:09:30 Rep. Regier
 02:09:46 Rep. Shaw
 02:10:05 Rep. Williams
 02:10:38 Rep. Staffanson
 02:11:05 Joe Kolman, LSD

02:12:06 **Vote:** Motion carried unanimously by voice vote. Rep. Zach Brown and Rep. Flynn voted by proxy.

02:12:15 **Motion:** Rep. Fitzpatrick moved that **HB 329 DO PASS AS AMENDED.**

Discussion:

02:12:24 Rep. Shaw

02:15:44 **Substitute Motion:** Rep. Shaw made a substitute motion that **HB 329 BE TABLED.**

Discussion:

02:16:04 Rep. Dunwell
 02:17:17 Chairman White

02:17:26 **Vote:** Motion carried 12-6 by roll call vote with Rep. Dunwell, Rep. McConnell, Rep. Noland, Rep. Olsen, Rep. Regier and Rep. Williams voting no. Rep. Brown and Rep. Flynn voted by proxy.

02:19:27 Chairman White

ADJOURNMENT

02:20:20 Adjournment

Sherri Row, Secretary

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Additional Documents:

EXHIBIT([nah52aad.pdf](#))